



Atty. Dkt. No. 065691-0261

JAR
JRW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dominique MARECHAL et al.

Title: MORPHINE SULFATE
MICROGRANULES, METHOD FOR
PREPARING SAME AND
COMPOSITIONS CONTAINING SAME

Appl. No.: 10/009,341

Filing Date: 06/19/2002

Examiner: James M. Spear

Art Unit: 1618

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated May 27, 2005, finally rejecting Claims 1-23.

Applicant claims small entity status.

Applicants hereby petition for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

Notice of Appeal Fee

To be paid as detailed below

Not required (Fee paid in prior appeal)

10/28/2005 SZEWDIE1 00000030 10009341

01 FC:1401

500.00 0P

The required fees are calculated below:

[X]	Notice of Appeal Fee	\$500.00
[X]	Extension for response filed within the second month:	\$450.00
[]	Extension:	\$0.00
	FEE TOTAL:	\$950.00
[]	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	TOTAL FEE:	\$950.00

[] Please charge Deposit Account No. 19-0741 in the amount of \$950.00. A duplicate copy of this transmittal is enclosed.

[X] A check in the amount of \$950.00 is enclosed.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date October 27, 2005

FOLEY & LARDNER LLP
 Customer Number: 22428
 Telephone: (202) 672-5300
 Facsimile: (202) 672-5399

By 

Matthew E. Mulkeen
 Attorney for Applicants
 Registration No. 44,250